

## Exhibit A



**Ohio Secretary of State J. Kenneth Blackwell**  
Elections Division - 180 E. Broad St., 15<sup>th</sup> Floor, Columbus, OH 43215  
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**ADVISORY NO. 2004-02**  
February 24, 2004

**TO: ALL BOARDS OF ELECTIONS**  
Members, Directors & Deputy Directors

### **Edison Media Research Exit Polling**

Edison Media Research will be collecting and compiling election returns for television networks and national news services. The company will have representatives in Ohio to obtain primary election night results in selected precincts in the 37 counties indicated on the accompanying list provided by Edison Media Research. None of the representatives is allowed inside a polling place while voting is occurring.

The organization may have a reporter at each polling place or board of elections where votes are tabulated to obtain results. Please inform all election officials that representatives will be present and should receive precinct returns when they are available.

### **Exit Polling, Generally**

Exit polling will be conducted by news organizations for the March 2 Primary Election. The boards are reminded that R.C. 3501.30, 3501.35 and 3599.24 collectively prohibit *anyone*, on election day, from:

- Engaging in election campaigning within 100 feet of the entrance to a polling place.
- Entering a polling place for any reason other than to vote, unless the person is an election official, a challenger or witness appointed pursuant to R.C. 3505.21, or a police officer.
- Loitering, congregating, hindering or delaying a person from reaching or leaving the polling place.

These statutes do not regulate or specifically address exit polling. Boards are advised that, in keeping with Ohio's past practices, exit pollsters should not be disturbed solely because they are conducting exit polling within the 100-foot boundary. However, if election officials and/or law enforcement officers determine that an exit pollster has unduly hindered or delayed a voter from entering or exiting the polling place, or has been disruptive in violation of the law, appropriate action should be taken.

Exit polling is *not* permitted, under any circumstance, inside any building where voting is conducted.

It is anticipated that exit pollsters from news organizations will conduct themselves in a professional and cooperative manner. Please advise your precinct officials of the possibility of exit pollsters at their precincts.

If you have any questions, please do not hesitate to contact my Elections or legal staff at (614) 466-2585.

Sincerely,

A handwritten signature in cursive script that reads "J. Kenneth Blackwell".

J. Kenneth Blackwell